

Misbranding was alleged for the further reason that the following statements on the jar label were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed: "An efficient remedy for Sore Throat, Influenza, Pneumonia, Croup, * * * Lung Trouble, * * * Boils, Lumbago, Piles, Eczema, Sores of all Kinds, Swollen Glands, * * * Ulcers, etc. * * * Directions * * * For Congestion * * * For * * * Boils, Piles, * * * Eczema and all kinds of Sores, * * * We are very proud of the service that Clay Pine has been in the Treatment of Pneumonia. * * * It is the Penetrating Healing Pure Oil that does the work in Pneumonia."

On March 31, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18041. Misbranding of Stretch's balsam wild cherry and horehound. U. S. v. 2 1/12 Dozen Bottles of Stretch's Balsam Wild Cherry and Horehound. Default decree of condemnation, forfeiture, and destruction. F. & D. No. 26015. I. S. No. 28086. S. No. 4237.)

Examination of the drug product herein described having shown that the bottle and carton labels contained statements representing that the article possessed curative and therapeutic properties which it did not, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Pennsylvania.

On March 11, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 2 1/12 dozen bottles of Stretch's balsam wild cherry and horehound, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Joseph D. Blauth Estate, Trenton, N. J., alleging that the article had been shipped from Trenton, N. J., on or about February 10, 1931, and had been transported from the State of New Jersey into the State of Pennsylvania, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of extracts of plant drugs including wild cherry, menthol, methyl salicylate, chloroform, alcohol, sugar, and water.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the labeling, regarding the curative or therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle label) "For the cure of coughs * * * sore throat * * * croup, asthma, bronchitis, soreness of the lungs, whooping cough and all diseases leading to consumption;" (carton) "For Coughs, * * * Sore Throat * * * Croup, Asthma, Bronchitis, Soreness of the Lungs, Whooping Cough, and all Diseases leading to Consumption. * * * A safe and efficient Remedy for Coughs * * * Sore Throat, Asthma, Soreness of the Lungs, &c, &c."

On April 1, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18042. Misbranding of Jarabe de Kofressi Contra el Reumatismo. U. S. v. 5 Dozen Bottles of Jarabe de Kofressi Contra de Reumatismo. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25914. I. S. No. 5747. S. No. 4173.)

Examination of the drug product herein described having shown that the carton and bottle labels and accompanying circular contained statements representing that the article possessed curative and therapeutic properties which it did not, the Secretary of Agriculture reported the matter to the United States attorney for the District of Porto Rico.

On February 17, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of five dozen bottles of Jarabe de Kofressi Contra el Reumatismo at San Juan, P. R., alleging that the article was in possession of the Drug Co. of Porto Rico (Inc.), San Juan, P. R., and was being sold and offered for sale in Porto Rico, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of potassium iodide, gualacol, extracts of plant drugs, sugar, and water.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the labeling, regarding the curative or therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Translation from Spanish, carton) "For the treatment of Muscular and Acute Rheumatism, Inflammation due to Gout, Lumbago and Sciatica;" (bottle) "Anti-Rheumatic * * * for the treatment of Articular and Muscular Rheumatism, Sciatica, Inflammatory Rheumatism, all acute manifestations of Rheumatism and Gout. The best Depurative for the Impurities of the Blood;" (circular) "Rheumatism, Under the word 'Rheumatism' there are included various affections of different nature: First, The acute affection in the articulations, known in medicine under the name of Acute Articular Rheumatism. Second, The disease or maybe the series of diseases named Chronic Rheumatism, and Third, Muscular Rheumatism. Acute Articular Rheumatism * * * There are possibilities that the inflammation may extend to the heart * * * chronic rheumatism * * * muscular rheumatism * * * treatment * * * The best thing that has proven to be of the best value, as it is demonstrated by numerous testimonials of individuals that were almost crippled and that had lost all hope of living, is the discovery of the celebrated and famous Syrup Kofressi. This has been the savior of humanity * * * Anti-Rheumatic Syrup Kofressi * * * about a year ago I was suffering from a terrible Rheumatic affection, accompanied by infarcts in the glands, specially those of the right armpit. This deprived me for a long time to attend to my business, because it was very difficult for me to do it on account of the pain. No longer being able to resist such terrible disease, and no alleviation having been felt with all the medicines I had taken * * * I noticed that the Rheumatism was ceasing, the gland disappeared and that a sensation of good feeling was announcing me the return of my health. * * * This I make public as a duty * * * I feel highly grateful for having returned to me the most precious gift, Health, with the best Anti-Rheumatic Specific that has ever been known."

On March 7, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18043. Misbranding of Dr. Livingston's Regenerator. U. S. v. 4 1/3 Dozen Bottles of Dr. Livingston's Regenerator. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25911. I. S. No. 14485. S. No. 4118.)

Examination of a drug product, known as Dr. Livingston's Regenerator, from the shipment herein described having shown that it was represented as conforming with the food and drugs act, whereas it did not, and that the bottle and carton labels and accompanying circular and booklet contained statements claiming that the article possessed curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of Florida.

On February 18, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of four and one-third dozen bottles of Dr. Livingston's Regenerator, remaining in the original unbroken packages at Jacksonville, Fla., alleging that the article had been shipped by the Livingston Medicine Co., from Griffin, Ga., on or about December 23, 1930, and had been transported from the State of Georgia into the State of Florida, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of magnesium sulphate, extracts of plant drugs including a laxative drug, alcohol, water, and flavoring materials.

It was alleged in the libel that the article was misbranded in that the statement appearing on the carton, "Guaranteed to conform with all Pure Food Laws," was false and misleading, when applied to an article which was misbranded within the meaning of the Federal food and drugs act. Misbranding was alleged for the further reason that the following statements regarding the curative or therapeutic effects of the article were false and fraudulent,